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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,197	01/31/2001	Leland James Wieschuegel	AUS920000945US1	4475

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05/27/2003

Robert H. Frantz  
P.O. Box 23324  
Oklahoma City, OK 73123-2334

EXAMINER

NICHOLSON, ERIC K

ART UNIT

PAPER NUMBER

3679

DATE MAILED: 05/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/773,197

Applicant(s)

WIESEHUEGEL ET AL

Examiner

Eric K Nicholson

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

#### **Specification**

The disclosure is objected to because of the following informalities: On page 1 the serial numbers for the related crossed referenced application and application incorporated by reference are blank. On page 5, line 4, "and" should be replaced with "a" for grammar purposes.

Appropriate correction is required.

#### **Claim Rejections – 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-15 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 5,303,379 to Khoyi et al.. The Khoyi et al. patent discloses a method, system and code for providing electronic catalogs of information sets regarding objects (column 3, lines 1-17), the information sets containing descriptive and illustrative data items (column 13, lines 30-40; column 41, lines 5-15).

providing at least two repositories of information sets and data items; dynamically linking the information sets and data items to part numbers for available products; (column 3, lines 45-60) and

synchronizing contents of the repositories such that all information sets and data items within all repositories represent full information sets of most recently created data items (column 3, lines 65-70 continuing to column 4, lines 1-7).

As to claims 2,7 and 12 see column 4, lines 1-4, wherein the step of synchronizing is performed on a periodic basis.

As to claims 3,8 and 13 see column 4, lines 2-3, wherein the step of synchronizing is performed responsive to a request for the information sets in any of the repositories such as by being opened, displayed or edited.

As to claims 4,9 and 14 see column 13, lines 30-63 wherein the step of providing a list to a user is viewed as a spreadsheet with text or numerical information and as noted on column 3, lines 65-66 such information is dynamically linked.

As to claims 5, 10 and 15 see column 3, line 65 which indicates that the data can be statically linked and column 42, lines 10-20 which further indicates the step of saving a copy of an information set linked such that the saved copy is statically linked to the most recently created data items.

Claims 1,2,4-7,9-12,14 and 15 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 5,117,354 to Long et al.. The Long et al. patent

discloses a method, system and code for providing electronic catalogs of information sets regarding objects, the information sets containing descriptive and illustrative data items (column 4, lines 23-25, 40-42; column 11, lines 61-64).

providing at least two repositories (column 4, lines 1-10, host computer 18 and manufacturer computer 24) of information sets and data items; dynamically linking the information sets and data items to part numbers for available products; (column 4, lines 20-30) and

synchronizing contents of the repositories such that all information sets and data items within all repositories represent full information sets of most recently created data items (column 4, lines 30-35; column 9, lines 30-40).

As to claims 2,7 and 12 see column 4, lines 30-35; column 9, lines 30-40, wherein the step of synchronizing is performed on a periodic basis.

As to claims 4,9 and 14 see column 4, lines 20-25 wherein the step of providing a list to a user such information is dynamically linked.

As to claims 5, 10 and 15 see column 8, lines 25-35 which indicates the data can be statically linked and column 42, lines 10-20 which further indicates the step of saving a copy of an information set linked such

that the saved copy is statically linked to the most recently created data items.

Claims 1-15 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. patent application publication 2002/0082953 to Batham et al.. The Batham patent discloses a method, system and code for providing electronic catalogs of information sets regarding objects (page 2, paragraphs 0013-0014), the information sets containing descriptive and illustrative data items (page 3, paragraph 0034 and page 5, paragraph 0046).

providing at least two repositories of information sets and data items; dynamically linking the information sets and data items to part numbers for available products; (page 2, paragraphs 0013, 0014 and 0030) and

synchronizing contents of the repositories such that all information sets and data items within all repositories represent full information sets of most recently created data items (page 3, paragraphs 0034 and 0035)

As to claims 2,7 and 12 see page 3, paragraph 0035, wherein the step of synchronizing is performed on a periodic basis.

As to claims 3,8 and 13 see page 3, paragraph 0034, wherein the step of synchronizing is performed responsive to a request for the

information sets in any of the repositories such to manually input data and or edit data into the catalog builder module.

As to claims 4,9 and 14 see page 5, paragraph 0046 wherein the step of providing a list to a user is shown as a spreadsheet with text or numerical information and as noted on page 3, paragraph 0036 such information is dynamically linked.

As to claims 5, 10 and 15 see page 4, paragraph 0037 which indicates that the

data can be statically linked by forming hard copies and page 6 paragraph 0050-0052 which further indicates the step of saving a copy of an information set linked such that the saved copy is statically linked to the most recently created data items such as sensitive information that is hidden from the customer.

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

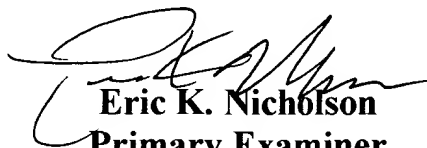


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Nicholson whose telephone number is (703) 308-0829. The examiner can normally be reached on Tuesdays thru Fridays from 7:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne, can be reached on (703) 308-1159. The fax phone number for Technology Center 3600 is (703) 872-9326 for "before final" papers and (703) 872-9325 for "after final" papers.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center receptionist whose telephone number is (703) 308-1113.

ekn  
5/21/03

  
**Eric K. Nicholson**  
**Primary Examiner**  
**Technology Center 3600**